

**THE DULY ELECTED MEMBERS OF THE BOARD OF COUNTY COMMISSIONERS OF CLERMONT COUNTY, OHIO, MET IN REGULAR SESSION ON AUGUST 24, 2009, WITH THE FOLLOWING MEMBERS PRESENT: EDWIN H. HUMPHREY, PRESIDENT, ROBERT L. PROUD, VICE PRESIDENT, AND R. SCOTT CROSWELL III, MEMBER. THE MEETING WAS CALLED TO ORDER SHORTLY AFTER 7:00 P.M. BY THE PRESIDENT OF THE BOARD WITH THE PLEDGE OF ALLEGIANCE TO OUR FLAG.**

**IN RE:            CLERMONT COUNTY WATER RESOURCES DEPARTMENT...  
                     MAINTENANCE BOND AS SURETY FOR THE INSTALLATION OF A  
                     SEWER MAIN EXTENSION LOCATED IN UNION TOWNSHIP...09-  
                     0814-001...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Lyle G. Bloom, P.E., Sanitary Engineer, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to execute a Maintenance Bond in the amount outlined below as surety for the installation of a Sewer Main Extension to serve the following location within Union Township:

Location	Township	Sewer
Mt. Moriah Cemetery Expansion 686 Mt. Moriah Drive Cincinnati, Ohio 45245	Union	\$1,000.00

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea;    Mr. Croswell, Yes;    Mr. Humphrey, Aye.

**IN RE:            CLERMONT COUNTY WATER RESOURCES DEPARTMENT...  
                     CHANGE ORDER NUMBER 1 TO THE CONTRACT WITH MOODY’S  
                     OF DAYTON, INC. DBA GM BAKER & SONS COMPANY FOR  
                     PROJECT NUMBER 621-0660 RELATIVE TO THE PUB & MGS WELL  
                     REHABILITATION PROJECT SITUATED WITHIN PIERCE AND  
                     MIAMI TOWNSHIPS...08-0424-003...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim Cherry, Construction Coordinator, with the concurrence of Thomas C. Yeager, Director of Utilities, Clermont County Water Resources Department, to execute Change Order Number 1 to the Contract with Moody’s of Dayton, Inc. dba GM Baker & Sons Company, 335 Hosack Street, Columbus, Ohio 43207, previously ratified by the Board of County Commissioners on 07/22/08, for Project Number 621-0660 relative to the PUB & MGS Well Rehabilitation Project situated within Pierce and Miami Townships, which represents an increase in the amount of \$95,649.00, for a total adjusted contract price to date of \$474,859.00 and an extension of time of 120 calendar days for a revised contract completion date of 12/29/09 for additions, deletions and/or modifications thereto as defined therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes;    Mr. Proud, Yea;    Mr. Humphrey, Aye.

**IN RE:            CLERMONT COUNTY WATER RESOURCES DEPARTMENT...  
                     ACCEPTANCE OF THE ELECTRICAL CONTRACT WITH HILVERT  
                     & POPE ELECTRIC, INC. FOR PROJECT NUMBER 651-0610**

**RELATIVE TO THE WARDS CORNER REGIONAL WASTEWATER TREATMENT PLANT PROJECT LOCATED WITHIN MIAMI TOWNSHIP AS COMPLETE AND APPROVAL OF THE ESTIMATE FOR PARTIAL PAYMENT NUMBER 21, FINAL, FOR RELEASE OF RETAINAGE RELATIVE THERETO...07-0112-005...RATIFIED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Sukie Scheetz, Director, Office of Management and Budget, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to accept the Electrical Contract (Contract Number 651-06104) by and between the County of Clermont, Ohio, and Hilvert & Pope Electric, Inc., 11070 Southland Road, Cincinnati, Ohio 45240 for Project Number 651-0610 relative to the Wards Corner Regional Wastewater Treatment Plant Project located within Miami Township as Complete as of May 29, 2009, and to approve the Estimate for Partial Payment Number 21, Final, which represents the release of retainage in the principal amount of \$48,720.00, plus accrued interest earned thereon relative thereto.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT... AMENDMENT TO SECTION 2 OF RESOLUTION NUMBERS 155-09, 156-09 AND 157-09 RELATIVE TO THE LEVYING OF FINAL SPECIAL ASSESSMENTS FOR PROJECT NUMBERS 621-0039, 621-0037, AND 621-0040 FOR THE OAK VIEW DRIVE AKA OAKVIEW DRIVE WATER PETITION PROJECT IN GOSHEN TOWNSHIP, THE DIXIE LANE WATER PETITION PROJECT IN WILLIAMSBURG TOWNSHIP, AND THE TWIN OAK LANE WATER PETITION PROJECT IN GOSHEN TOWNSHIP, RESPECTIVELY, TO EXTEND THE EXPIRATION DATE OF THE PRINCIPAL PAYMENT PERIOD OF THE SPECIAL ASSESSMENTS THEREFORE FROM 09/04/09 TO 02/01/10...09-0727-002, 09-0727-001 AND 09-0727-003...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Sukie Scheetz, Director, Office of Management and Budget, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to amend Section 2 of Resolution Numbers 155-09, 156-09, and 157-09 relative to the levying of the final special assessments for Project Numbers 621-0039, 621-0037, and 621-0040 for the Oak View Drive aka Oakview Drive Water Petition Project located in Goshen Township, the Dixie Lane Water Petition Project located in Williamsburg Township, and the Twin Oak Lane Water Petition Project located in Goshen Township, respectively, to extend the expiration date of the principal payment period of the special assessments therefore from 09/04/09 to 02/01/10 and, accordingly, to give notice to the respective property owners, as well as, the County Auditor, of the extension thereof, with all other terms and conditions of the referenced resolutions to remain in full force and effect.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

**IN RE: CLERMONT COUNTY WATER RESOURCES DEPARTMENT...  
RESOLUTION NUMBER 168-09/ RESOLUTION LEVYING FINAL  
SPECIAL ASSESSMENT FOR THE TURKELSON WATER MAIN  
EXTENSION PETITION IN CONCERT WITH PROJECT NUMBER 621-  
0983 RELATIVE TO THE BERGEN/BELFAST-OWENSVILLE ROAD  
WATER TRANSMISSION MAIN CAPITAL IMPROVEMENTS  
PROJECT IN STONELICK TOWNSHIP...09-0817-001...ADOPTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Sukie Scheetz, Director, Office of Management and Budget, with the concurrence of Lyle G. Bloom, P.E., Sanitary Engineer, Clermont County Water Resources Department, to adopt **Resolution Number 168-09** resolving to levy the final special assessment for the Turkelson Water Main Extension Petition to serve Parcel Number 30-29-04B-079 located at 5800 Weaver Road in Stonelick Township, heretofore constructed in concert with Project Number 621-0983 relative to the Bergen/Belfast-Owensville Water Transmission Main Capital Improvements Project and in accordance with Resolution Number 111-08 ratified by the Board of County Commissioners on 06/11/08, as set forth in Exhibits "A" and "B", attached thereto and made a part thereof, for the purpose of paying all of the costs attributable thereto; to allow for a ten (10) day principal payment period to expire 09/04/09; and subsequent thereto, to authorize the Office of Management and Budget to certify to the Clermont County Auditor for collection the unpaid assessment for the same period of time and at the same interest rate for which the assessment bonds are to be issued in anticipation of the collection thereof pursuant to and in compliance with Chapter 6103 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

**IN RE: DEPARTMENT OF JOB AND FAMILY SERVICES...PARTICIPATION  
AGREEMENT AND SCHEDULE A (EXPRESS SOCIAL SERVICE/FEES  
AND SERVICE DESCRIPTION) TO THE UNIVERSAL MEMBERSHIP  
AGREEMENT WITH THE COUNTY COMMISSIONERS ASSOCIATION  
OF OHIO SERVICE CORPORATION AND THE OHIO CHILD  
SUPPORT ENFORCEMENT AGENCY (CSEA) DIRECTOR'S  
ASSOCIATION FOR THE PROVISION OF SERVICES FOR SAME...09-  
0817-002...EXECUTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Tim McCartney, Director, Department of Job and Family Services, with the concurrence of David L. Spinney, County Administrator, to execute the Participation Agreement and Schedule A (Express Social Service/Fees and Service Description) to the Universal Membership Agreement by and between the County of Clermont, Ohio, the County Commissioners Association of Ohio Service Corporation, 209 East State Street, Columbus, Ohio 43215 and the Ohio Child Support Enforcement Agency (CSEA) Director's Association, 37 West Broad Street, Suite 840, Columbus, Ohio 43215 (payment mailing address), in accordance with the Universal Membership Agreement, Schedule A – Express Social Service/Fees and Service Description, and the Amendment and Restated Agreement executed by the County Commissioners Association of Ohio Service Corporation on 06/29/09 and 07/31/09, respectively, by and between TALX Corporation, 11432 Lackland Road, St. Louis, Missouri 63146 and the County Commissioners Association of Ohio Service Corporation on behalf of the Ohio County Job & Family Services Agencies, Ohio County Child Support Enforcement Agencies, and the Ohio County Children's Services Agencies, for the provision of access to employment and income verification on public assistance recipients and potential fraud cases by the Clermont County Department of Job and Family Services, at the rates of \$0.00 per month for unlimited

transactions for Employment Summaries (SSN Search), \$3.00 per transaction for Income Verification, based upon actual usage for State Fiscal Year 2010 (estimated at 300 transactions per month) and \$0.10 per transaction per month for Income Verification for administrative expenses incurred by the Ohio CSEA Director's Association, effective 07/01/09 through 06/30/10, pursuant to and in compliance with the terms and conditions specified therein.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY...  
REQUEST TO ADVERTISE FOR PROPOSALS FOR THE ACQUISITION  
OF A COUNTY-WIDE WIRELESS BROADBAND DATA NETWORK FOR  
THE COUNTY OF CLERMONT, OHIO...09-0820-003...APPROVED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, with the concurrence of David L. Spinney, County Administrator, to approve the request to advertise for proposals for the acquisition of a County-Wide Wireless Broadband Data Network for the County of Clermont, Ohio, pursuant to the specifications therefore, and to authorize the Clerk of the Board to place Legal Notice in the Clermont Sun for two consecutive weeks commencing 08/27/09 with proposals to be received until **2:00 P.M. Local Time on Thursday, 09/24/09**, in the office of the Board of County Commissioners, 3<sup>rd</sup> Floor, 101 East Main Street, Batavia, Ohio 45103-2960, at which time all proposals shall be opened in a manner that prevents the disclosure of contents of the competing proposers pursuant to and in compliance with Section 307.862 of the Ohio Revised Code.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

**IN RE: OFFICE OF TECHNOLOGY, COMMUNICATIONS AND SECURITY/  
DEPARTMENT OF PUBLIC SAFETY SERVICES...GRANT  
APPLICATION TO THE OHIO EMERGENCY MANAGEMENT  
AGENCY (OEMA) FOR THE FISCAL YEAR 2008 STATE HOMELAND  
SECURITY CITIZEN CORPS PROGRAM FOR SAME...09-0821-  
002...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Stephen H. Rabolt, Director, Office of Technology, Communications and Security, with the concurrence of David L. Spinney, County Administrator, to authorize Beth Nevel, Director, Department of Public Safety Services, to submit a Grant Application in the amount of \$5,000.00 to the Ohio Emergency Management Agency (OEMA), 2855 West Dublin-Granville Road, Columbus, Ohio 43235-2206 for the Fiscal Year 2008 State Homeland Security Citizen Corps Program for the operation and enhancement of the Clermont County Citizens Corps Council, to work as the Citizen's arm of the Homeland Security Program, and to assist in the citizen planning, response, and recovery from a possible terrorism incident, effective upon notification of award through 03/31/11.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

**IN RE: COUNTY ENGINEER...LOCUST LAKE ESTATES SUBDIVISION/  
PIERCE TOWNSHIP...RECORD PLAT NUMBER 629-2649 FOR THE  
REPLAT OF LOT NUMBER 10 WITHIN SAME...09-0814-  
002...EXECUTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to execute Record Plat Number **629-2649** for the Replat of Lot Number 10 in the following subdivision within Pierce Township:

Subdivision	Record Plat Number	Reason for Replat
Replat of Lot Number 10 Locust Lake Estates Subdivision Pierce Township	629-2649	To create new Lot Numbers 20 and 21

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

**IN RE: COUNTY ENGINEER...LEXINGTON RUN SUBDIVISION/SECTION  
3/BATAVIA TOWNSHIP...ACCEPTANCE OF AMENDMENT NUMBERS  
2 AND 3 TO THE IRREVOCABLE STANDBY LETTER OF CREDIT  
NUMBER SLCLSTL01893 FOR THE COMBINED PERFORMANCE-  
MAINTENANCE BOND AS SURETY FOR SAME...05-0902-  
011...ACCEPTED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to accept Amendment Numbers 2 and 3 to the Irrevocable Standby Letter of Credit Number SLCLSTL01893 issued by US Bank, National Association, International Department, 721 Locust Street, St. Louis, Missouri 63101, heretofore issued as surety for the Combined Performance-Maintenance Bond for Lexington Run Subdivision/Section 3 located within Batavia Township, which extends the expiration date for the Maintenance Bond, heretofore converted from the performance bond phase to the maintenance bond phase by Resolution Number 30-08 ratified by the Board of County Commissioners on 02/27/08, from 09/09/09 to 09/09/10.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

**IN RE: COUNTY ENGINEER...TERRACE RIDGE SUBDIVISION/SECTION  
TWO/BLOCK A/UNION TOWNSHIP...ACCEPTANCE OF  
AMENDMENT NUMBER 2 TO THE IRREVOCABLE STANDBY  
LETTER OF CREDIT NUMBER 435 AS SURETY FOR THE COMBINED  
PERFORMANCE-MAINTENANCE BOND FOR SAME...06-0130-  
004...ACCEPTED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to accept Amendment Number 2 to the Irrevocable Standby Letter of Credit Number 435 issued by The Bank of Kentucky, P.O. Box 17600, Crestview Hills, Kentucky 41017, heretofore issued as surety for the Combined Performance-Maintenance Bond for Terrace Ridge Subdivision/Section Two/Block A located within Union Township, which extends the expiration date for the Maintenance Bond, heretofore converted from the performance bond phase to the maintenance bond phase by Resolution Number 158-08 ratified by the Board of County Commissioners on 09/17/08, from 08/23/09 to 08/23/10 and reduces the amount of the Irrevocable Standby Letter of Credit from \$43,000.00 to \$14,000.00.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

**IN RE: COUNTY ENGINEER...TERRACE RIDGE SUBDIVISION/SECTION TWO/BLOCK A/UNION TOWNSHIP...RELEASE OF THREE YEAR PERFORMANCE BOND FOR SIDEWALKS AND IN LIEU THEREOF ACCEPTANCE OF ONE YEAR PERFORMANCE BOND FOR SIDEWALKS FOR SAME...06-0130-004...APPROVED**

Moved by Mr. Croswell, seconded by Mr. Proud, that the Board of County Commissioners approve the following recommendation:

Recommendation of Patrick J. Manger, County Engineer, with the concurrence of David L. Spinney, County Administrator, to authorize the release of a Three Year Performance Bond for Sidewalks for the following Subdivision located within Union Township, and in lieu thereof, accept a One Year Performance Bond for Sidewalks within same in the amount as follows:

Subdivision	Three Year Performance Bond	One Year Performance Bond
Terrace Ridge Subdivision Section Two Block A Union Township	\$29,740.00*  *Secured by Irrevocable Standby Letter of Credit Number 437 and Amendment Number 1 issued by The Bank of Kentucky, P.O. Box 17600, Crestview Hills, Kentucky, 41017-0600	\$8,180.00*  * Secured by Irrevocable Standby Letter of Credit Number 437 and Amendment Number 1 and Amendment Number 2 issued by The Bank of Kentucky, P.O. Box 17600, Crestview Hills, Kentucky, 41017-0600

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Croswell, Yes; Mr. Proud, Yea; Mr. Humphrey, Aye.

**IN RE: BOARD OF COUNTY COMMISSIONERS...REQUEST TO INITIATE PROCEDURES TO VACATE AN UNNAMED ALLEY BETWEEN LOT NUMBER 2 AND LOT NUMBER 3 IN THE ADDITION TO KALDY MEMORIAL SUBDIVISION IN UNION TOWNSHIP AND PUBLICATION OF LEGAL NOTICE RELATIVE TO THE VIEWING AND FINAL HEARING THEREON...09-0811-004...APPROVED**

Moved by Mr. Proud, seconded by Mr. Croswell, that the Board of County Commissioners approve the following recommendation:

Recommendation to approve a request to initiate procedures to vacate an Unnamed Alley between Lot Number 2 and Lot Number 3 in The Addition to Kaldy Memorial Subdivision situated in Union Township, Clermont County, Ohio, as set forth in the Petition submitted by Anthony Rivers, 4791 Tealtown Road, Milford, Ohio 45150, for and on behalf of Amanda and Kyle Doughty, 488 Kaldy Street, Cincinnati, Ohio 45244, who are the owners of Lot Number 2,

pursuant to Section 5553.04 of the Ohio Revised Code and further resolve to authorize the Clerk of the Board to place a Legal Notice in the Clermont Sun for two consecutive weeks commencing Thursday, September 3, 2009, designating the date and time of the Viewing and the date, time, and location of the Final Hearing for the proposed vacation thereon pursuant to Section 5553.05 of the Ohio Revised Code. The **Viewing** and **Final Hearing** on the Proposed Vacation of an Unnamed Alley between Lot Number 2 and Lot Number 3 in The Addition to Kaldy Memorial Subdivision situated in Union Township to be held on **Wednesday, September 23, 2009**, with the Viewing at **10:00 A.M.** Local Time and the Final Hearing at **2:00 P.M.** Local Time in the Office of the Board of County Commissioners, Clermont County, Ohio, 101 East Main Street, Batavia, Ohio 45103-2960.

Upon roll call on the foregoing motion, the vote was as follows:

Mr. Proud, Yea; Mr. Croswell, Yes; Mr. Humphrey, Aye.

**LET THE RECORD SHOW:** That a motion by Mr. Croswell, seconded by Mr. Proud, to approve the minutes of Regular Session of **08/24/09** carried with all members present voting affirmatively thereon.

**LET THE RECORD SHOW:** That the President of the Board of County Commissioners, noting no further business to come before the commission for legislative action, adjourned this Regular Session at 7:17 P.M.

**BOARD OF COUNTY COMMISSIONERS  
CLERMONT COUNTY, OHIO**

**EDWIN H. HUMPHREY, PRESIDENT  
ROBERT L. PROUD, VICE PRESIDENT  
R. SCOTT CROSWELL III, MEMBER**

**JUDITH KOCICA, CLERK OF THE BOARD**

**DATE APPROVED – 08/24/09**